



# House of Representatives

General Assembly

**File No. 292**

*January Session, 2005*

House Bill No. 6945

*House of Representatives, April 12, 2005*

The Committee on Labor and Public Employees reported through REP. RYAN, K. of the 139th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING NOTICE PERIOD PAY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 5-240 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (c) An appointing authority may dismiss any employee in the  
5 classified service when the authority considers the good of the service  
6 will be served thereby. A permanent employee shall be given written  
7 notice of such dismissal at least two weeks in advance of the  
8 employee's dismissal, except as hereinafter provided, and a copy of the  
9 same shall be filed with the Secretary of the Office of Policy and  
10 Management or the secretary's designated representative. Such notice  
11 shall set forth the reasons for dismissal in sufficient detail to indicate  
12 whether the employee was discharged for misconduct, incompetence  
13 or other reasons relating to the effective performance of the employee's  
14 duties and shall be prepared in such form and given in such manner as

15 the Secretary of the Office of Policy and Management prescribes. The  
16 Secretary of the Office of Policy and Management may provide by  
17 regulation for the waiving of advance notice in cases of serious  
18 misconduct by an employee affecting the public, the welfare, health or  
19 safety of patients, inmates or state employees or the protection of state  
20 property. Such regulation shall provide for written notice to a  
21 permanent employee who has attained permanent status and shall not  
22 preclude whatever rights any employee may have to appeal. The name  
23 of any such employee dismissed for incompetence or other reasons  
24 relating to the effective performance of the employee's duties shall be  
25 immediately removed from the eligible list in the office of the  
26 Commissioner of Administrative Services. No appointing authority  
27 shall pay any dismissed employee notice period pay or any other  
28 separation pay at a rate that exceeds the dismissed employee's rate of  
29 compensation, at the time of dismissal, for two weeks, or the amount  
30 of notice period provided for in an applicable collective bargaining  
31 agreement.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2005	5-240(c)
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**LAB**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

This bill limits notice-period pay of a dismissed state employee to two weeks, at the rate of the employee's pay at the time of dismissal (or for the notice period pay provided in collective bargaining agreements). This bill authorizes past practice and as such has no fiscal impact on the state.

**OLR Bill Analysis**

HB 6945

***AN ACT CONCERNING NOTICE PERIOD PAY*****SUMMARY:**

This bill limits the notice-period pay or other separation pay of a dismissed state employee to the rate of the employee's pay at the time of dismissal. Such pay is limited to two weeks, or for the notice period provided in the employee's union contract. Notice- period pay is the pay received during the period from the notice of separation to the employee's last day on the job.

EFFECTIVE DATE: October 1, 2005

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Report

Yea 11      Nay 0